

This record is a partial extract of the original cable. The full text of the original cable is not available.

UNCLAS BOGOTA 007687

SIPDIS

E.O. 12958: N/A

TAGS: [KMDR](#) [KPAO](#) [OPRC](#) [PREL](#) [SNAR](#) [PGOV](#) [CO](#)

SUBJECT: "BOOMERANG AGAINST EXTRADITION:" EL TIEMPO'S
EDITORIAL

1. Leading national daily El Tiempo's August 12 editorial is highly critical of an extradition bill under consideration by the U.S. Congress.

BEGIN TRANSLATION OF THE EDITORIAL:

Boomerang Against Extradition

"There are times when laws, instead of helping to achieve what they intend to do, make things more difficult. A good example is the bill recently approved by the U.S. Congress to impose a new and arrogant stipulation to countries that receive economic assistance from Washington; that of freezing this assistance if they prevent the extradition of their citizens to the U.S., even though the sentences that may be imposed there may include a life sentence.

Passing this law is not good news for the fight against transnational crime, one in which our country has paid a high price in sacrifice and whose strong commitment (to fight crime) is recognized internationally.

For a very simple reason: according to the Constitution, the Colombian Government can only extradite citizens on the condition that they not be given a sentence which is not part of Colombian legislation, as is the case with the death penalty or a life sentence. The Supreme Court has been very clear about this, and if the new US regulation goes into effect, the [Colombian] National Government would be legally bound to stop extraditions to that country.

Nothing could be more contrary to the efforts to combat terrorism and drug trafficking through extradition, in which the current Colombian Government has broken all records. One just has to take a look at the unprecedented number of 200 Colombians extradited to the United States during Uribe's three-year administration.

Because there is no extradition treaty between the two countries (in 1986 the Supreme Court voided the treaty of 1979), the Colombian Government orders all extraditions through a Presidential Order with the endorsement of the Supreme Court, and in each case, it sends U.S. authorities a Diplomatic Note warning them of the sentences they may not impose. This has not avoided an impasse such as the one caused by a U.S. judge in 2002, when she sentenced Alex Restrepo to life for the murder of a former New York policeman.

For this reason, ideally, a new treaty should be signed, establishing very clear rules on the subject. Meanwhile, one can only hope that President George W. Bush will not sign into law a bill which, in addition to reflecting arrogant unilateralism, would become a real boomerang against extradition."

END TRANSLATION

WOOD